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Shawn Sullivan, Director of the Budget

Sam Brownback, Governor

April 23, 2015

The Honorable Ty Masterson, Chairperson Senate Committee on Ways and Means Room 545-S, Statehouse

and

The Honorable Ron Ryckman, Jr., Chairperson House Committee on Appropriations Room 111-N, Statehouse

Dear Senator Masterson:

The items contained in this memo, Governor's Budget Amendment No. 1, amend the budget that I submitted to you in January. The items reflect new issues that have arisen or changes that can be made based on new information. Total adjustments to expenditures and revenues are shown below.

Expenditures:

	FY 2015	<u>FY 2016</u>	FY 2017
State General Fund All Other Funds All Funds	(\$ 37,153,487) (74,015,457) (\$111,168,944)	(\$27,111,724) (<u>21,811,719)</u> (\$48,923,443)	(\$45,093,770) (11,300,520) (\$56,394,290)
Revenues:	FY 2015	FY 2016	FY 2017
State General Fund All Other Funds All Funds	\$ 1,284,000 {\$ 1,284,000}	\$ 942,000 {\$ 942,000}	\$ 1,234,000 {\$ 1,234,000}

Department of Administration

1. National Bio-Agro Defense Facility Debt Service

Prior to the issuance of the bonds, the estimated debt service payments for the National Bio-Agro Defense Facility (NBAF) were \$16,153,525 in FY 2016 and \$16,153,900 in FY 2017.

The NBAF bonds were issued in April and now the actual payments will be \$9,767,340 in FY 2016 and \$10,162,550 in FY 2017. To reflect the lower debt service payments, I amend my budget to reduce debt service expenditures by \$6,386,185 in FY 2016 and \$5,991,350 in FY 2017, all from the State General Fund.

State General Fund	FY_	2015	FY 2016	FY 2017	
	\$		(\$6,386,185)	(\$5,991,350)	
All Other Funds					
All Funds	\$		(\$6,386,185)	(\$5,991,350)	

Kansas Lottery

2. Message on Lottery and Gaming Revenues

Lottery ticket sale estimates provided by the Kansas Lottery indicate that the State General Fund transfer amounts that were used in my original budget must now be reduced by \$800,000 in FY 2016 and \$2.7 million in FY 2017. These transfer adjustments from the State Gaming Revenues Fund are already accounted for in the April Consensus Revenue Estimate.

The Consensus Revenue Estimating Group on Gaming Revenues met in April 2015 to revise revenue estimates from state-owned casinos. The amount of net revenue that will be generated from state-owned casinos was increased over the three fiscal years as follows:

	FY 2015	FY 2016	FY 2017	
ELARF	\$ 1,284,000	\$ 1,490,000	\$ 3,602,000	
Problem Gambling/Addict Grant Fund	116,000	136,000	332,000	
Local Cities/Counties	174,000	204,000	498,000	
Casino Managers	4,226,000	4,970,000	12,168,000	
All Funds	\$ 5,800,000	\$ 6,800,000	\$ 16,600,000	

Expenditures through the statutory formula to make payments to local cities and counties where the casinos are located and to the casino managers must now be increased as a result of the new revenue estimate, and I amend my budget to account for this change.

	FY 2015	FY 2016	FY 2017	
State General Fund	\$	\$	\$	
All Other Funds	4,400,000	5,174,000	12,666,000	
All Funds	\$ 4,400,000	\$ 5,174,000	\$12,666,000	

The increased estimate also will result in additional revenues to the ELARF. Language already exists for FY 2015 that allows the State General Fund to make up for ELARF revenue shortfalls. The additional revenue for FY 2015 will reduce the estimated transfer from the State General Fund to the ELARF by \$1,284,000 for the estimated ELARF revenue shortfalls. This

transfer adjustment is already accounted for in the April Consensus Revenue Estimate. I hereby amend my budget to allow the additional revenues to the ELARF to be transferred to the State General Fund and request that language be added to the appropriations bill to allow all excess revenues from this fund to be transferred to the State General Fund in FY 2016 and FY 2017. This will allow \$1,490,000 to be transferred to the State General Fund in FY 2016 and \$3,602,000 in FY 2017.

The increased estimate also will result in additional revenues to the Problem Gambling and Addictions Grant Fund. I hereby amend my budget to allow the additional revenues to the Problem Gambling and Addictions Grant Fund to be transferred to the State General Fund and request that language be added to the appropriations bill to allow all excess revenues from this fund to be transferred to the State General Fund in FY 2016 and FY 2017. The estimated transfer to the State General Fund in FY 2016 will be \$252,000 (\$116,000 carryover from FY 2015 and \$136,000 from additional FY 2016 revenues). The transfer to the State General Fund in FY 2017will be \$332,000.

State General Fund Transfer Adjustments

	FY 2015	FY 2016	FY 2017	
State Gaming Revenues Fund	\$	(\$ 800,000) *	(\$ 2,700,000) *	
ELARF	1,284,000 *	1,490,000	3,602,000	
Problem Gambling/Addict Grant Fund		252,000	332,000	
Total SGF Transfer Adjustments	\$ 1,284,000	\$ 942,000	\$ 1,234,000	

^{*} Included in the April Consensus Revenue Estimate

Department of Revenue

3. Vehicle Operating Costs

The Kansas Department of Revenue received an allotment to its Division of Vehicles Operating Fund in FY 2015, FY 2016, and FY 2017. The Department indicates the reductions will significantly affect operations in the Division of Vehicles and require a number of staff to be laid off unless funding is restored. After considering several policy decisions to reduce costs through efficiencies and streamlining certain services, I amend my budget for FY 2015, FY 2016, and FY 2017 to eliminate the allotment to the Division of Vehicles Operating Fund (VOF) and increase expenditure authority from the VOF to make those funds available for vehicle operations. This amendment would reverse the transfer from the VOF to the State General Fund in FY 2015 that was authorized in SB 4, and reduce those currently under consideration for FY 2016 and FY 2017. The amounts recommended to be restored are listed in the table below.

	FY 2015		FY 2016		FY 2017	
State General Fund	\$		\$		\$	
All Other Funds	918,	<u>543</u>	83	7,085		837,085
All Funds	\$ 918,	543	\$ 83	7,085	\$	837,085

State Hospitals

4. Centers for Medicare and Medicaid Services Mandates

Recent surveys conducted by the Centers for Medicare and Medicaid Services have resulted in plans of correction that require significant expenditures for the replacement of hardware and equipment and to hire additional staff to conduct safety checks on patients at Osawatomie State Hospital (OSH). Parsons State Hospital (PSH) has been sharing resources with OSH in order to assist OSH in complying with the plan of correction, which has resulted in increased salary expenses for PSH. I amend my budget for FY 2015 to increase the expenditure limitation from the Osawatomie State Hospital Fee Fund by \$1.5 million, and the Kansas Department for Aging and Disability Services (KDADS) Title XIX Fund by \$1.0 million to cover the increased operational costs. Of the amount recommended from the Title XIX Fund, \$500,000 will be distributed to each hospital.

The plans of correction also require building improvements for Osawatomie State Hospital to maintain compliance, which include major renovations such as mitigating ligature points by replacing hardware for doors and light fixtures and replacing drop ceilings in all patient areas with solid ceilings. KDADS will be required to hold census down to 146 patients or less and 60 patient beds will remain vacant while the renovations take place. Therefore, I also amend my budget for the Kansas Department for Aging and Disability Services in FY 2016 to add \$3,450,000 from the State General Fund to ensure additional community resources are available for individuals who would otherwise be admitted to OSH.

Osawatomie State Hospital:

Osawatomie State Hospital.	FY 2015	FY 2016	FY 2017	
State General Fund	\$	\$	\$	
All Other Funds	2,000,000			
All Funds	\$ 2,000,000	\$	\$	
Parsons State Hospital:	FY 2015	FY 2016	FY 2017	
State General Fund	\$	\$	\$	
All Other Funds	<u>500,000</u>			
All Funds	\$ 500,000	\$	\$	

Dept. for Aging & Disability Svc.:

	FY	<u>2015 </u>	<u>FY 2016</u>	<u>FY 2017</u>	
State General Fund	\$		\$3,450,000	\$	
All Other Funds					
All Funds	\$		\$3,450,000	\$	

Department for Children & Families

5. New Federal Fund

I amend my budget recommendation for the Department for Children and Families (DCF) for FY 2015, FY 2016 and FY 2017 to add a new federal fund titled "SNAP Employment and Training Pilot." The new fund should have a no limit designation, similar to all other DCF federal funds. Since my original budget recommendation, DCF received a three year grant of \$13.5 million from the U.S. Department of Agriculture, Food and Nutrition Services for a Supplemental Nutrition Assistance Program (SNAP) pilot project to develop and test methods that increase the number of participants who obtain employment and reduce reliance on SNAP benefits. The pilot project does not require any state fund match or maintenance of effort.

	FY 2015	FY 2016	FY 2017	
State General Fund	\$	\$	\$	
All Other Funds	1,000,000	6,254,584	6,254,583	
All Funds	\$ 1,000,000	\$6,254,584	\$ 6,254,583	

Department of Health and Environment

6. Additional Medical Programs Fee Fund

I amend my budget recommendation for the Department of Health and Environment Division of Health Care Finance for FY 2016 and FY 2017 to increase KanCare expenditures from the Medical Programs Fee Fund and reduce KanCare expenditures from the State General Fund. My original budget recommendation reduced KanCare expenditures from the Medical Programs Fee Fund by \$12.0 million in FY 2016 and \$21.0 million in FY 2017, and added the same amounts from the State General Fund. Updated fee fund revenue estimates indicate that expenditures from the Medical Programs Fee Fund can be increased by \$9.6 million in FY 2016 and \$14.8 million in FY 2017. State General Fund expenditures can be reduced by the same amounts. My recommendation for total KanCare expenditures still concurs with the consensus estimate.

	_ FY 2	Y 2015 FY 2016		FY 2017	
State General Fund	\$		(\$9,600,000)	(\$14,764,000)	
All Other Funds			9,600,000	14,764,000	
All Funds	\$		\$	\$	

7. Healthcare Access Improvement Program

The Healthcare Access Improvement Program makes an annual assessment on inpatient services provided by hospitals in order to provide higher Medicaid reimbursement rates for hospital, pharmacy, doctor, and dentist services, as well as other various activities that improve access to healthcare. The assessment rate of 1.83% of net inpatient operating revenue is set in statute and has not been increased since the program's inception in 2004. The cost of the reimbursement rate increases has been higher than the program revenue in recent years and the program has been subsidized by the State General Fund. I amend my budget recommendation for the Department of Health and Environment Division of Health Care Finance for FY 2016 and FY 2017 to add the following provisos that will be necessary to increase the assessment rate until substantive legislation that allows fluctuations in the rate can be passed:

During the fiscal year ending June 30, 2016, notwithstanding the provisions of KSA 65-6208, and amendments thereto, or any other statute, an annual assessment on inpatient services is imposed on each hospital provider in an amount equal to 2.55% of each hospital's net inpatient operating revenue for the hospital's fiscal year 2010. In the event that a hospital does not have a complete twelve-month 2010 fiscal year, the assessment under this section shall be \$200,000 until such date that such hospital has completed the hospital's first twelve-month fiscal year. Upon completing such first twelve-month fiscal year, such hospital's assessment under this section shall be the amount equal to 2.55% of such hospital's net operating revenue for such first completed twelve-month fiscal year.

During the fiscal year ending June 30, 2017, notwithstanding the provisions of KSA 65-6208, and amendments thereto, or any other statute, an annual assessment on inpatient services is imposed on each hospital provider in an amount equal to 2.55% of each hospital's net inpatient operating revenue for the hospital's fiscal year 2010. In the event that a hospital does not have a complete twelve-month 2010 fiscal year, the assessment under this section shall be \$200,000 until such date that such hospital has completed the hospital's first twelve-month fiscal year. Upon completing such first twelve-month fiscal year, such hospital's assessment under this section shall be the amount equal to 2.55% of such hospital's net operating revenue for such first completed twelve-month fiscal year.

I then amend my recommendation to increase KanCare expenditures from the Health Care Access Improvement Fund by \$18.7 in FY 2016 and FY 2017 and reduce KanCare

expenditures from the State General Fund by the same amounts in both years. My recommendation for total KanCare expenditures still concurs with the consensus estimate.

	_ FY 2	2015	FY 2016	FY 2017	
State General Fund	\$		(\$18,700,000)	(\$18,700,000)	
All Other Funds		<u></u>	18,700,000	18,700,000	
All Funds	\$		\$	\$	

Kansas Guardianship Program

8. Benefits Reduction Correction

The recommended budgets for the Kansas Guardianship Program included a reduction of \$4,445 in FY 2015 from reduced KPERS employer contributions for the State/School KPERS group and reductions of \$5,245 in FY 2016 and \$5,556 in FY 2017 from state employee health insurance plan savings. However, the Kansas Guardianship Program is not a participating employer in the State/School KPERS group (it is a Local KPERS employer) and does not participate in the State Employee Health Plan. This correction to the *FY 2016 Governor's Budget Report* will restore these amounts to the agency's budget for all fiscal years.

	F`	FY 2015		FY 2016		FY 2017	
State General Fund	\$	4,445	\$	5,245	\$	5,556	
All Other Funds All Funds	\$	4,445	\$	5,245	\$	5,556	

Department for Aging & Disability Services, Department for Children & Families, Department of Health & Environment, and Department of Corrections

9. Caseload Adjustments

I amend my FY 2015, FY 2016 and FY 2017 budget to reflect changes in caseloads and the cost of assistance programs. These adjustments are the result of consensus caseload estimates that involved the staff of the Department of Health and Environment, the Department for Children and Families, the Legislative Research Department, the Department for Aging and Disability Services, the Department of Corrections, and the Division of the Budget. The caseload estimates include expenditures for KanCare medical programs, Non-KanCare programs including Nursing Facilities for Mental Health (state only) and Frail Elderly/Physical Disability Waiver Assessments, Temporary Assistance to Families, the Reintegration/Foster Care Contracts, and Out of Home Placements. As the starting point for the current estimate the group used the Governor's budget recommendation as adjusted by 2015 House Substitute for SB 4.

For FY 2015, the new estimate for all human services caseloads is a decrease of \$119.3 million from all funding sources and \$36.4 million from the State General Fund. These adjustments include a decrease of \$2.1 million from the State General Fund for contracted foster

care services and estimated savings of \$1.5 million, including \$800,000 from the State General Fund, for the Department of Corrections/Juvenile Services Out of Home Placements. The major contributor to the reduction for FY 2015 KanCare is the November 6, 2014 forecast utilized estimated managed care rates for calendar year 2016 that were higher than the final negotiated rates. The estimate reflects a slight increase in the number of persons served by KanCare. Along with accounting for lower rates per person, program adjustments such as postponing the implementation of health homes for chronic conditions and adjusting the Severe Mental Illness (SMI) Health Homes voluntary participation rate contributed to the reduced estimate. These reductions are offset partially by an increase in the cost for Hepatitis C medications. Additionally, the Affordable Care Act Insurers Fee that was added to the caseload in the fall included \$20.0 million that will actually not be expended until FY 2016. The FY 2015 estimate for KDADS Non-KanCare is a decrease of \$1.3 million, including \$1.2 million from the State General Fund. The new estimate reflects lower waiver assessment costs and state only expenditures for services provided in nursing facilities for mental health.

For FY 2016, the new estimate is an all funds decrease of \$58.6 million and an increase of \$3.8 million from the State General Fund. The estimate for the Temporary Assistance to Needy Families program is a decrease of \$703,000 all from federal funds. The number of families receiving services is expected to decrease at a faster rate than had been anticipated in the fall estimate. This estimate does not include the impact of Temporary Assistance for Needy Families policy changes included in 2015 Senate Substitute for HB 2258 which had not been signed by the Governor at the time the consensus meeting was held. Expenditures for Foster Care are increased by \$3.8 million from all funding sources, including \$16.7 million from the State General Fund. The increase in all funds is attributable to an increase in the cost of the contract, while the number of children anticipated to be in the foster care system is unchanged from the fall estimate. In addition, there is an ongoing conversation with the federal Administration for Children and Families regarding expenditures from the Title IV-E foster care funding source. The ultimate decision on the issue is expected in calendar year 2015. The current estimate for FY 2016 includes the addition of \$12.0 million, all from the State General Fund, to provide for adequate cash flow for the program. The estimate for the Department of Corrections/Juvenile Services Out of Home Placements is decreased by \$1.3 million, including \$400,000 from the State General Fund, resulting from fewer children in the program. Like FY 2015, the major contributor to the reduction for FY 2016 KanCare is the lower final negotiated rates. The estimate for the number of persons served by KanCare is essentially unchanged. Along with accounting for lower managed care rates per person, some fee for service rates have been reduced. Additionally, program adjustments such as postponing the implementation of health homes for chronic conditions contributed to the reduced estimate. The FY 2016 estimate for KDADS Non-KanCare is a decrease of \$1.9 million, including \$1.4 million from the State The new estimate reflects lower waiver assessment costs and state only expenditures for services provided in nursing facilities for mental health.

For FY 2017, the new estimate is an all funds decrease of \$71.0 million from all funding sources and \$6.4 million from the State General Fund. The estimate for the Temporary Assistance to Needy Families program is a decrease of \$503,000 all from federal funds. This estimate does not include Temporary Assistance for Needy Families policy changes included in 2015 Senate Substitute for HB 2258 which had not been signed by the Governor at the time the consensus meeting was held. Expenditures for Foster Care are increased by \$7.1 million from all

funding sources and \$7.5 million from the State General Fund. The increase in all funds is attributable to an increase in the cost of the contract and a slight increase in the number of children anticipated to be in the foster care system. The current issue regarding Title IV-E foster care funding is expected to be resolved for FY 2017 and the new estimate normalizes program The estimate for the Department of Corrections/Juvenile Services Out of Home Placements is increased by \$224,000, including \$154,000 from the State General Fund, to reflect a slightly higher cost per child. The FY 2017 estimate for KanCare Medical reflects a decrease of \$75.1 million from all funding sources and \$11.5 million from the State General Fund. The major contributor to the reduction for FY 2017 KanCare is again the lower final negotiated rates as well as program adjustments such as postponing the implementation of health homes for chronic conditions and adjusting the Severe Mental Illness (SMI) Health Homes take up rate. These reductions are offset partially by an increase in the cost for Hepatitis C medications. The estimate for the number of persons served by KanCare has increased slightly from the fall estimate. The Federal Medical Assistance Percentage (FMAP) has also been reduced from 44.04 percent to 43.89 for FY 2017 to reflect the new federal preliminary estimate for federal participation in Medicaid programs. In KanCare Medical this translates to a State General Fund reduction of \$4.1 million. Other program adjustments such as postponing the implementation of health homes for chronic conditions continue to reduce the estimate. In addition, the FY 2017 estimate includes a reduction of \$52.8 million, from all funding sources, to reflect the sunset of the nursing facility provider assessment which is scheduled to occur June 30, 2016 and which had been inadvertently left in the fall estimates.

Dept. for Aging & Disability Svc.:

Dept. for Aging & Disability Sve	FY 2015	FY 2016	FY 2017
State General Fund	(\$ 9,200,000)	\$12,012,908	\$ 7,853,312
All Other Funds	<u>(8,800,000)</u>	<u>10,173,306</u>	(46,300,594)
All Funds	(\$18,000,000)	\$22,186,214	(\$38,447,282)
Dept. for Children & Families:	FY 2015	FY 2016	FY 2017
State General Fund	(\$2,100,000)	\$16,700,000	\$ 7,505,000
All Other Funds	<u>2,100,000</u>	<u>(13,591,000)</u>	<u>(882,000)</u>
All Funds	\$	\$ 3,109,000	\$ 6,623,000
Dept. of Health & Environment:	FY 2015	FY 2016	FY 2017
State General Fund	(\$24,300,000)	(\$24,637,092)	(\$20,910,688)
All Other Funds	(<u>75,300,000)</u>	<u>(58,292,694)</u>	(17,909,594)
All Funds	(\$99,600,000	(\$82,929,786)	(\$38,820,282)

Dept. of Corrections:

	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>
State General Fund	(\$ 840,000)	(\$ 276,000)	(\$ 946,000)
All Other Funds	(<u>834,000)</u>	(<u>667,000)</u>	<u>570,000</u>
All Funds	(\$ 1,674,000)	(\$ 943,000)	(\$ 376,000)

University of Kansas

10. Kansas Law Enforcement Training Center Bonds

The Kansas Law Training Center, a unit of the University of Kansas Continuing Education, was established by the Kansas Legislature in 1968 to train new police officers in basic training programs and also offers continuing education and specialized training to other Kansas officers. Bonds were issued on December 27, 2007 to fund infrastructure improvements at the Training Center located in Reno County. Currently, the debt service payments for the bonds are primarily financed from court docket fees. In order for the bonds to refinanced, I request that language be added to the appropriations bill to allow the debt service for the bonds to also be financed from the State General Fund or any appropriate special revenue fund or funds. The additional flexibility for funding sources to pay off the debt service will allow the bonds to be refinanced as part of a larger bond issuance.

Various Agencies

11. Debt Service Refunding

The Governor's budget recommendation for FY 2015, FY 2016 and FY 2017 included estimated savings from refunding portions of existing debt service. However, the estimates were made prior to the issuance of series 2015A, which was the bond used to refund current debt. The total original savings estimates were \$2.9 million in FY 2015, \$6.0 million in FY 2016 and \$1.3 million in FY 2017, all from the State General Fund. The final pricing and issuance of the bonds in March resulted in State General Fund savings of \$3.6 million in FY 2015, \$5.7 million in FY 2016 and \$558,316 in FY 2017. I amend my budget to reflect the final debt service refunding figures, which will include additional savings of \$717,932 in FY 2015 and lower savings of \$319,400 in FY 2016 and \$854,400 in FY 2017.

Dept. of Administration:

	<u>FY 2015</u>	FY 2016	<u>FY 2017</u>
State General Fund	(\$ 330,019)	\$2,130,280	\$ 5,740,280
All Other Funds			
All Funds	(\$ 330,019)	\$2,130,280	\$ 5,740,280

Pittsburg State University:	EV 2015	EN 2016	EV 2017
	FY 2015	<u>FY 2016</u>	<u>FY 2017</u>
State General Fund All Other Funds	(\$ 23,741)	(\$ 243,596)	(\$ 243,596)
All Funds	(\$ 23,741)	(\$ 243,596)	(\$ 243,596)
Dept. of Corrections:	FY 2015	FY 2016	FY 2017
	112013	11 2010	112017
State General Fund All Other Funds	(\$ 191,445)	(\$ 801,400)	(\$2,061,400)
All Funds	(\$ 191,445)	(\$ 801,400)	(\$2,061,400)
Adjutant General:	FY 2015	FY 2016	EV 2017
	<u>F1 2013</u>	<u>F1 2010</u>	<u>FY 2017</u>
State General Fund All Other Funds	(\$ 172,727)	(\$ 765,884)	(\$2,580,884)
All Funds	(\$ 172,727)	(\$ 765,884)	(\$2,580,884)
Total:			
	FY 2015	FY 2016	FY 2017
State General Fund All Other Funds All Funds	(\$ 717,932)	\$ 319,400	\$ 854,400
	(\$ 717,932)	\$ 319,400	\$ 854,400

Sincerely,

Sam Brownback Governor

Sam Brounlack